MOUNTAIN SEADOWS ANNEXAUION

A parcel of land located in the Southeast Quarter of Section 1, Fownship 2 North, Range 53 West and the Southwest Quarter of Section 5, Fownship 2 Morth, Range 57 West of the 5th P.M., County of Weld, State of Colorado

TITLE COMMITMENT NOTE

This survey does not constitute a title search by King Surveyors Inc. to determine ownership or easements of record. For all information regarding easements. rights-of-way and title of records, King Surveyors Inc. relied upon Title Order Number US51784A, dated March 30, 2000 as prepared by Weld County Title Company, 1221 8th Avenue, Greeley, CO 80631 was relied upon to delineate the aforesaid information.

TITLE COMMITMENT EXCEPTIONS

7) Right of way for county road and incidental purposes 30 feet wide on either side of section and township lines as established by Order of the Board of County Commissioners for Weld County, recorded October. 14, 1889 in Book 86 at Page 273.

8) Right of way for road and incidental purposes over the EAST 30 feet of subject property as evidenced by Road Viewer's Report recorded April 18, 1884 in Book 48 at Page 110. (Weld County Road 13) (PLOTTED)

9) Right of way for COMMUNICATION LINE purposes as granted to AMERICAN TÉLEPHONE AND TELEGRAPH COMPANY by instrument recorded FEBRUARY 26, 1931 in BOOK 909 at Page 270, said right of way not being specifically defined. (NOT

10) Easement for WATER LINE purposes as granted to THE CENTRAL WELD COUNTY WATER DISTRICT by instrument recorded DECEMBER 5, 1989 in BOOK 1250 as RECEPTION NO. 2199417, said easement being OVER THE WEST 20 FEET OF THE EAST 50 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 1. (PLOTTED)

11) Reservation as contained in Patent recorded March 18, 1897 in Book 153 at Page 40, said reservation being as follows: Excluding and excepting "All Mineral Lands" should any such be found to exist, but this exclusion and exception shall not be construed to include coal and iron land. (NOT PLOTTABLE)

12) Reservation by the UNION PACIFIC RAILROAD COMPANY, its successors and assigns in Deed recorded APRIL 29, 1902 in BOOK 190 at PAGE 353 a) All coal, and other minerals, within or underlying said lands (NOT PLOTTABLE); b) The exclusive right to prospect in or upon said land for coal and other minerals therein or which may be supposed to be therein and to mine for and remove from said land, all coal and other minerals which may be found thereon by anyone (NOT PLOTTABLE);

c) The right of ingress and regress upon said land to prospect for, mine and remove any and all such coal and other minerals and the right to use so much of said land as may be convenient or necessary for the right of way to and from such prospect places or mines, and for the convenient and proper operation of such prospect places, mines, and for roads and approaches thereto or for removal therefrom of coal, minerals, machinery, or other material (NOT PLOTTABLE); d) The right of said Union Pacific Railroad Company to maintain and operate its in its present form of construction, and to make any change in the form of construction or method of operation of said railroad; and any interests therein, assignments or conveyances thereof. (NOT PLOTTABLE)

13) Terms, conditions and provisions of SURFACE OWNER'S AGREEMENT, between LILLIAN A. BORGMANN, HOWARD BORGMANN AND MARTHA HOPP, COTRUSTEES OF THE AUGUST F. BORGMANN TESTAMENTARY TRUST and UNION PACIFIC RESOURCE COMPANY recorded DECEMBER 16, 1992 in BOOK 1363 as RECEPTION NO. 2314777. (NOT PLOTTABLE)

14) Terms, conditions and provisions of AGREEMENT, between LEILA PEDEN and AUGUST F. BORGMANN recorded OCTOBER 31, 1944 in BOOK 1143 at Page 282. (NOT PLOTTABLE)

15) The effect of an Order recorded JANUARY 4, 1990 in BOOK 1252 as RECEPTION NO. 2201872, which purports to include the subject property within the boundaries of Central Weld County Water District. (NOT PLOTTABLE)

16) Right of way for PIPELINE and incidental purposes as granted to SNYDER OIL CORPORATION by instrument recorded April 23, 1993 in Book 1380 as RECEPTION NO. 2330223, said right of way not being specifically defined. (PLOTTED) 17) Right of way for the Cole Seepage Ditch for the Borgmann Pump Plant as

evidenced by Statement filed in the Weld County Clerk & Recorder's Office, insofar as the same may affect subject property. (NOT PLOTTABLE)

18) Items as disclosed on map of Corrected Recorded Exemption No. 1313-01-4-RE1913:

a) Irrigation ditch through the North 1/2 and the East 1/2 of said Lot B (PLOTTED); b) Overhead electric line in an East/West direction through the center of said SE 1/4 (PLOTTED); c) Overhead electric line off the above described line in a Northerly direction to a

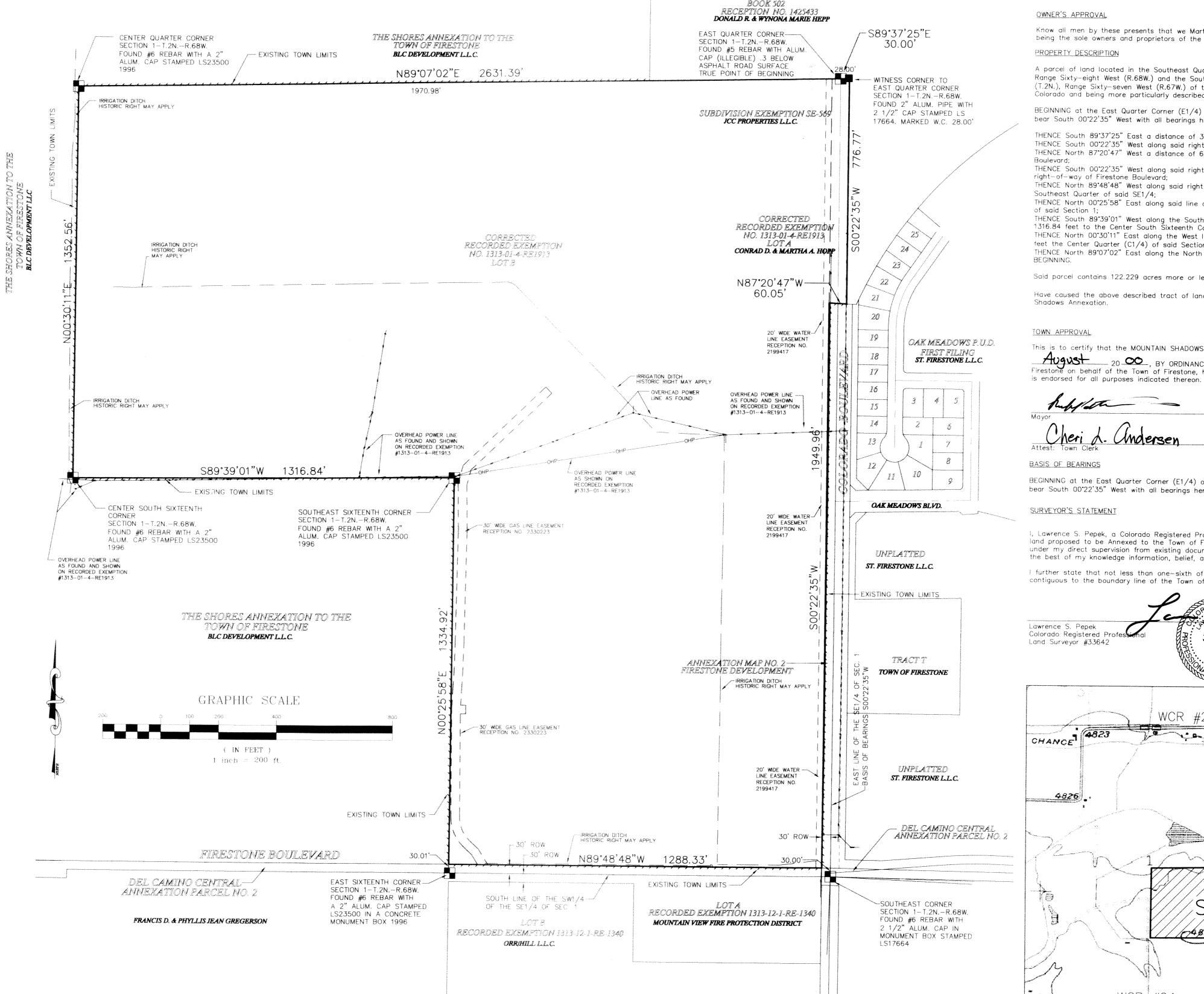
pump house (PLOTTED); d) Restricted access to Lot B off Weld County Road 13 (NO INDICATION OF

RESTRICTED ACCESS TO LOT B NOTED ON THE RECORDED PLAT); e) Rights or easements inferred in the well head, pump houses, pump station, holding tank and storage tank (NOT PLOTTABLE)

NOTE

According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon. (13-80-105 C.R.S.)

> CONTIGUOUS BOUNDARY = 9273.64' BOUNDARY = 10.740.83RATIO = 1 : 1.158



OWNER'S APPROVAL

Know all men by these presents that we Martha Hopp, Borgmann Land Company, and JCC Properties L.L.C. being the sole owners and proprietors of the following described land, to wit: PROPERTY DESCRIPTION

A parcel of land located in the Southeast Quarter (SE1/4) of Section One (1), Township Two North (T.2N.), Range Sixty-eight West (R.68W.) and the Southwest Quarter (SW1/4) of Section Six (6), Township Two North (T.2N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado and being more particularly described as follows:

BEGINNING at the East Quarter Corner (E1/4) of said Section 1 and assuming the East line of said SE1/4 to bear South 00°22'35" West with all bearings herein relative thereto:

THENCE South 89°37'25" East a distance of 30.00 feet to the Easterly right-of-way of Colorado Boulevard; THENCE South 00°22'35" West along said right-of-way a distance of 776.77 feet; THENCE North 87°20'47" West a distance of 60.05 feet to the Westerly right—of—way of said Colorado

THENCE South 00°22'35" West along said right-of-way a distance of 1949.96 feet to the Northerly right-of-way of Firestone Boulevard; THENCE North 89°48'48" West along said right-of-way a distance of 1288.33 feet to the West line of the

Southeast Quarter of said SE1/4: THENCE North 00°25'58" East along said line a distance of 1334.92 feet to the Southeast Sixteenth Corner of said Section 1;

THENCE South 89°39'01" West along the South line of the Northwest Quarter of said SE1/4 a distance of 1316.84 feet to the Center South Sixteenth Corner of said Section THENCE North 00°30'11" East along the West line of Northwest Quarter of said SE1/4 a distance of 1352.56

feet the Center Quarter (C1/4) of said Section 1; THENCE North 89°07'02" East along the North line of said SE1/4 a distance of 2631.39 feet to the POINT OF BEGINNING

Said parcel contains 122.229 acres more or less (\pm) .

Have caused the above described tract of land to be annexed under the name of Mountain Shadows Annexation.

TOWN APPROVAL

This is to certify that the MOUNTAIN SHADOWS ANNEXATION was approved on the $\frac{247}{100}$ August 20 00, BY ORDINANCE NO. 447 and that the Mayor of the Town of Firestone on behalf of the Town of Firestone, hereby acknowledges said Annexation upon which this certificate

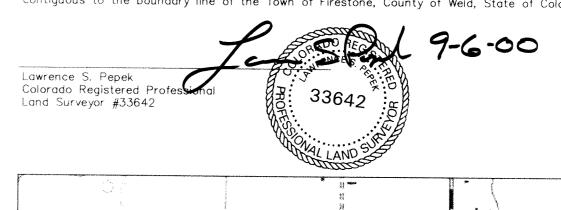
BASIS OF BEARINGS

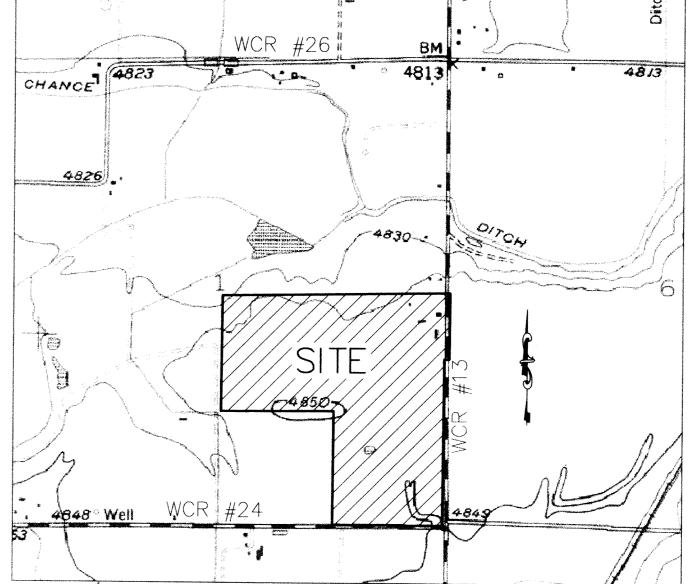
BEGINNING at the East Quarter Corner (E1/4) of said Section 1 and assuming the East line of said SE1/4 to bear South 00°22'35" West with all bearings herein relative thereto:

SURVEYOR'S STATEMENT

I, Lawrence S. Pepek, a Colorado Registered Professional Land Surveyor do hereby state that this map of land proposed to be Annexed to the Town of Firestone, County of Weld, State of Colorado was prepared under my direct supervision from existing documents of record, and that the same is true and correct to the best of my knowledge information, belief, and in my professional opinion.

I further state that not less than one—sixth of the perimeter of the area proposed to be annexed is contiguous to the boundary line of the Town of Firestone, County of Weld, State of Colorado.





NOT TO SCALE

2-24-00

LE NAME:

99397ANX SCALE:

1"=200' DRAWN BY:

LP

CHECKED BY:

LP, DJB

PROJECT #: 99397

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